



FRIDAY EVENING, MAR. 19, 1909.

The Court of Appeals, yesterday, as stated in the Gazette of that day, handed down an opinion in the Fredericksburg local-option case, in which the Corporation Court of Fredericksburg is reversed and the Ward act, under which the election was held, is declared unconstitutional. The decision affects not only the city of Fredericksburg and makes that city "dry," but it also decides the questions raised in the cities of Roanoke, Lynchburg, Bristol, Suffolk and other places which have voted "dry," and in some of which the result was attacked along the same lines as the case decided yesterday. The legality of the election in the case at bar was attacked on the ground that some of the petitioners for the election and some of the voters who participated in the election were not qualified to exercise the right of suffrage, having failed to qualify by paying their poll taxes six months prior to the regular election next succeeding the special election. The Ward act permitted voters who had paid their poll taxes, but not six months prior to the regular election, to participate in special elections—such as in closing of saloons, issuing bonds for roads and schools and the like. No person could vote, however, who had not paid his taxes. The opinion in declaring the validity of the Ward law, holds that the general assembly of the state can enact any law which is not repugnant to the federal constitution and which is not restricted by provisions of the state constitution. The result of this decision is far-reaching. As stated above it will legalize the elections in Fredericksburg, Roanoke and Lynchburg. It will also legalize the road bond law and the school bond law; it will clear of suspicion bonds already issued, or agreed to be issued under those laws; it emphasizes the right of the people acting through their representatives in the legislature to deal with the whole liquor question in all of its phases, in such a way as it deems best. Local option will now have the right of way, and by this method the will of the people as to license or no license may be sought and expressed without let or hindrance.

JUDGE MANN, candidate for the governorship, last night, in Petersburg, made his promised speech defining his position on the various phases of the liquor question. His views were much the same as those he has expressed on various other occasions and which have been known for years past. Concerning the "state wide" prohibition he stands practically on the same platform with his competitor, Mr. Tucker, so other than this issue will have to be brought into the campaign. Judge Mann's speech was a strong one, stating plainly and forcefully his position on various matters in which the people of the state are interested. It is now pretty generally understood that the judge and Mr. Tucker will be the only candidates and from now on till the primary these two will carry on an active campaign.

The New York Tribune criticizes the democrats in its comment on the late insubordination in Congress by the victory was turned to defeat. It says: "The democratic party in Congress is just as divided and incapable as the democratic party in the nation. Its statements are fatally prone to look out for their own advantage instead of the party's. The emblem of the national organization is a mule. That is good as far as it goes. But a fatter emblem would be two mules traveling in opposite directions." And many of the men who have been elected to Congress by democratic votes justly bring such criticism upon themselves and richly deserve it.

From Washington.

(Correspondence of the Alexandria Gazette.)
Washington, Mar. 19.

The democratic members of the House will hold a caucus Monday to frame a set of caucus rules calculated to hold would-be bolters in line. A committee is now at work on the matter. There is a strong sentiment both in the committee and outside in favor of adopting the rules of the democratic caucus of the Senate. These provide that a two-thirds vote in the caucus shall bind all members of the party, whether they are present or absent, except where a constitutional question is involved, where a member has instructions from his constituents, or where a member had notified the caucus in advance in writing of his position.

Secretary Knox will reopen with Ambassador von Bernstorff the negotiation of a general treaty between the United States and Germany. Germany and Russia were the only two European countries with which treaties were not signed by Secretary of State Root. Secretary Knox will also take upon a very short time the consideration of a patent treaty with Germany which also was not concluded by Secretary Root.

It is said that William B. Ryner, son of United States Senator Isidor Ryner, and his wife, formerly Mrs. Margaret Coulter, of Baltimore, have become reconciled and are living together, with their children in Washington. Young

Ryner, it will be remembered, last year deserted his family and went away to live with another man's wife.

Little hope is held out today for the recovery of Lieut. Sammes Read, naval aide to the President, who was badly injured while riding in Rock Creek Park yesterday afternoon. Lieut. Read is still unable to talk and cannot tell how the accident occurred. Two officers who were with him did not see his horse stumble and he has been practically unconscious since the accident.

The democratic members of the ways and means committee held a meeting today and began their preliminary work upon the report setting forth their views of the tariff bill, which will be submitted to the House Tuesday.

Assistant Secretary of the Treasury Coolidge today tendered his resignation to Secretary MacVegh. There is an impression that a number of important heads of bureaus will be asked for their resignations. It is said, however, that up to this time Secretary MacVegh has given no intimation that he desires any other resignations presented to him.

Instructions were sent today by Attorney General Wickersham to District Attorney O. H. Lingenfelter, at Boise, Idaho, directing the dismissal of the Idaho land fraud cases.

Sixty-first Congress.

Washington, March 19.
SENATE.

Senator Frye, of Maine, president pro tempore, presided over the Senate in the absence of Vice-President Sherman who is visiting his home in Ulica, N. Y. Senator Penrose, of Pennsylvania, presented the certificate of election of his colleague, George T. Oliver, to succeed Secretary of State Knox. Mr. Oliver, then took the oath. He was greeted by several Pennsylvania friends but he was a stranger to most of the senators.

A number of nominations were received from President Taft and a message from the House announced that it had passed the census bill and had agreed to a resolution providing for the printing of 30,000 copies of the tariff bill. These two measures were referred to the appropriations committee and the Senate then, at 12:08, adjourned until Monday.

HOUSE.

At 12:35 this afternoon the House began formal consideration of the Payne tariff.

At 12:44 Chairman Payne, of the ways and means committee, moved that the House go into committee of the whole for this purpose. The motion was agreed to, Mr. Olmsted, of Pennsylvania, being called to the chair, the clerk started in on the four hour job of reading the bill.

The leader's plan was to begin consideration immediately after the House convened. For some unforeseen reason, however, a fifteen minute recess was taken. A democratic member explained some voice to a colleague that may be the machine had broken down and they would have to tinker with it.

Mr. Eech took the oath. He had been away when it was administered Monday.

Before moving consideration of the tariff bill, a motion was carried that when the House adjourns today, it adjourn over until Monday.

The reading progressed a full hour before there was an interruption. Then Mr. Sims made a point of no quorum. There were not more than fifty congressmen in the House at that time, and Chairman Olmsted sent out frantic calls for members, to total the required one hundred. Mr. Sims, however, after enjoying the situation, withdrew the point and then moved to dispense with the reading. He was informed, however, that reading could not be dispensed with except by unanimous consent, whereupon Mr. Stafford, objected.

The clerk again took up his task of talking against time.

At two o'clock Sims made another ineffectual attempt to dispense with the reading of the bill. He moved that the committee rise and report the bill back with the recommendation that it pass. Mr. Mann arose, considerably amused, that a democratic member should thus innocently express his approval of the measure. He declared sarcastically that it was necessary that the reading go on because every member should hear every word of the bill. He told Mr. Sims that adoption of his motion would practically cut off all debate by paragraph on the bill, and had considerable fun with the Tennessee member.

Mr. Barlett, however, came to the rescue of his fellow democrats by objecting very strenuously to his further remarks. Mr. Currier, in the chair directed the clerk to continue reading.

At the present rate of reading it is expected that the bill will be completed by five o'clock. The task of reading the 53,000 words in the measure is a tremendous one. Two reading clerks alternate every half hour. One of them achieved the feat of reading 232 words in a minute.

EDUCATIONAL CONFERENCE.

The following is the tentative programme of the Joint Educational Conference which will convene at Manassas March 25-27.

Thursday, March 25—2:30 p. m., address of welcome, Hon. Geo. O. Round; response to same, Dr. Ormond Stone, subject, Consolidation of Schools and Transportation of Pupils, Superintendent J. W. Everett; five minute address, subject, A Course of Study for One-room Schools, J. S. Thomas, 8 p. m., address, J. H. Binford; address, Hon. Claude A. Swanson, governor of Virginia.

Friday, March 26—10 a. m., address, Dr. Julian A. Burruss; address, Dr. W. H. Heek; drawing in the one-room school, Miss Brown; school supervision, H. Crawford Bonds, 2 p. m., "Model Classes in Reading," Mrs. M. S. Moffett; "A Talk on Reading," Dr. H. O. Dyer; "School Libraries," Dr. H. W. McIlwaine; a table library, "School Fairs," Mrs. W. W. King, 8 p. m., address, Dr. Robert Foster; address, Dr. E. E. Brown, U. S. commissioner of education.

Saturday, March 27—10 a. m., subject, "Grading of Teachers' Salaries," M. D. Hall; "Lighting and Ventilating School Buildings," O. G. Maphis; "Normal Training High School," W. A. Anderson, Jr.; "Agricultural High School," H. F. Burton; address, "Good Roads and Good Schools."

The Market.

Georgetown March 19.—Wheat 116-120.

News of the Day.

President Taft, Judge Gray, Senator Root and others enlarged the memory of the late President Cleveland at the memorial meeting in New York yesterday.

Miss Mary McCann, who was given a Congress medal for saving lives in the steamer Slocum disaster, was killed by Speaker Cannon yesterday who presented the medal.

Rev. Dr. A. W. Lighthouse walked out of the Methodist Episcopal Conference meeting at Wilmington, Del., yesterday, rather than stand trial on the question of his ministerial standing.

Charles M. Schwab, the steel magnate, says the Payne tariff bill is entirely too drastic. He strongly intimates, however, that half of the iron schedules will be met by the steel men of the country by reductions in the cost of labor.

The fire yesterday in Baltimore which started with every indication of spreading, was checked before the loss reached \$20,000. The blaze started in one of the warehouses of the New York and Baltimore Transportation Company, which occupies Reeder's wharf, at Hughes and Henry's streets, on the south side of the harbor.

Mrs. Frances J. Bidley, a wealthy widow, of Atlanta, Ga., furnished \$5,000 bail in the criminal court in Newark, N. J., last night for her appearance to answer to a charge of grand larceny. She was arrested near the station by railroad detectives, who accused her of having in her possession a chateleine bag belonging to Mrs. Andrew Albright, of New York and containing jewels worth \$7,000, which had been lost on the train between Atlanta and this city.

Mrs. Bidley admitted that she had the bag, and turned it over to the detectives.

Abdul Hamid, the "Sick Man of Europe," is in his last illness, according to the opinion of some of the most skilled physicians of Europe.

M. R. Schantz, Button Company plant, at Rochester, N. Y., was destroyed by fire Wednesday night, causing a loss of \$175,000.

Virginia News.

The Warwick Lumber Company, of Suffolk, has made a deed of assignment. The liabilities are \$25,000, exclusive of the capital stock of \$10,000.

Governor Swanson yesterday refused to interfere in the case of Benjamin Gilbert, 19 years old, of Norfolk, sentenced to die today for the murder of his sweetheart, Amanda Morse.

Mrs. Pearl A. Rule, of Washington, 19 years old, and a widow of only a few months, and Mr. William V. Hayes, of Fort Myer, Alexandria county, were married in Rockville about 11 o'clock Tuesday night by Rev. Philip B. McGuire, pastor of St. Mary's Catholic Church.

F. M. Lake, of Loudoun county, who resided near North Fort, died suddenly in Washington on Tuesday afternoon from liver complications. He had been in Washington for medical attention. He was 58 years old and is survived by his widow, who was a Miss Hatcher, daughter of the late Joshua Hatcher, of Loudoun county.

CENSUS BILL PASSED.

The first piece of legislation to be acted on by the House during the special session was the bill providing for the taking of the thirteenth census, which was passed yesterday afternoon.

In its present form the measure gives to the Civil Service Commission jurisdiction over appointments and provides for the printing of the reports by the Government Printing Office. As enacted by the last session the bill stripped Civil Service Commission of such authority, and there was a provision allowing some of the printing to be done by private firms, because of which President Roosevelt vetoed it. A further amendment was made whereby appointments are to be apportioned pro rata among the states.

Through an amendment by Dr. Hay (Va.), also agreed to, messengers, assistant messengers, messenger boys, watchmen, unskilled laborers and charwomen are exempted from examinations.

In order to prevent the spread of tuberculosis among government clerks an amendment by Mr. Bennett was agreed to requiring that such census applicant furnish with his or her application a certificate of good health.

COURT OF APPEALS.

The following is a list of the opinions handed down yesterday by the Virginia Court of Appeals:

By James Keith, president: Willie et al. vs. Kilmach et al. Corporation Court of city of Fredericksburg. Reversed, Harrison, J., dissenting.

By Judge John Buchanan: Commonwealth vs. Goodwin. Circuit Court of Prince William county. Reversed.

By Judge George M. Harrison: Taylor vs. Commonwealth, Corporation Court of city of Norfolk. Reversed.

By Judge Stafford G. Whitte: Jennings vs. Commonwealth, Circuit Court of Louisa county. Reversed.

Petition to rehear: Commonwealth et al. vs. Camp Manufacturing Company Circuit Court of Brunswick county. Rehearing refused.

Petitions for appeals, etc.: Gilbert vs. Commonwealth. Corporation Court of city of Norfolk. Writ of error refused.

DeHart vs. Norfolk and Western Railway Company. Circuit Court of city of Norfolk. Writ of error refused.

Hamlett vs. Adams' administrator, Circuit Court of Campbell county. Appeal refused.

The other proceedings of the court were as follows: Hunter, et al. vs. Hicks, et al. Argued and submitted.

Citizens' Bank of Norfolk. Argued and submitted.

Atlantic Trust and Deposit Company vs. Union Trust and Title Corporation et al. Confirmed.

Fitzgerald, et al. vs. Frankel, et al. partly argued and continued.

Lynched.

Elkins, W. Va., March 19.—Joe Brown, who shot and probably fatally injured Scott White, Whitmer, W. Va., chief of police, was today taken from the jail here and lynched by a mob of fifty men. Brown is a white man.

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JUDGE MANN SPEAKS.

Before a large audience at Petersburg last night Judge William H. Mann, candidate for the democratic gubernatorial nomination, announced his position on the prohibition question.

This has been awaited with great interest for weeks, and Judge Mann explained that the delay in making the announcement was not because he was at all uncertain, but because he preferred to wait until he was able to open his views in a public speech and state his plans on the liquor question along with those on other important issues of the campaign.

He took a shot at Mr. H. St. George Tucker, his competitor for the nomination, when he said:

"I am naturally reluctant to declare ostentatiously and beforehand, and with out being able to know the conditions which may then confront me, how I should administer the functions of a high constitutional office, and still more so to threaten the chosen representatives of the people in General Assembly with a veto in a contingency which I think very unlikely to arise, and which I trust will not arise."

Mr. Tucker had announced that if elected governor he would veto any measure that might be passed looking to state-wide prohibition, unless the question had previously been submitted to the approval by the people.

Judge Mann referred to his record on the temperance question, quoted extracts from previous speeches, and then continued:

"While I favor the policy of local option as the best method from the standpoint of permanence and law enforcement, and while experience has demonstrated the wisdom of this method of dealing with the liquor question in Virginia, yet I recognize the right of the people to demand laws to deal with this and every other question which affects their interests."

In conformity with these views, I elected and if during my term of office the legislature should pass a prohibitory law without previous instruction by the people, I would veto it as violative of the fundamental principle of local option and as damaging, from my standpoint, to the best permanent interest of the temperance cause.

"But should the people elect a legislature upon that issue, under such circumstances and conditions as to satisfy me that the will of the people had been clearly expressed, and should a legislature so elected pass a bill clearly responsive to the widespread demand of the people expressed at the polls, believing that the governor of Virginia is as much the servant of the people as are the members of the general assembly, I would feel obliged to sign such a bill, securing to them their wishes so expressed by their instructed representatives."

"Should I be elected governor of Virginia and should the legislature during my term of office pass an act submitting the question of State-wide prohibition to the vote of the people, recognizing as I do the right of the people to pass upon all matters pertaining to their interests, I would sign the bill."

Judge Mann characterized as "absolutely and wholly false" the charge that he had made an agreement with the liquor men by which, in consideration of a modification of his views, their support would be given him.

In outlining his position on other public questions Judge Mann urged an appropriation sufficient to care for needy Confederate veterans, the strengthening of the public school system, declaring that he favored the establishment of a department of agriculture and manual training; the development of the normal school system, and the adoption of a comprehensive plan for the improvement of the roads of the State. He endorsed the use of convicts on the roads, and on this point said, among other things:

"The greatest drawback to the use of convicts under our present system is the expense of guarding them while at work, making, with other charges, the cost a day of 10 hours 70 cents for each convict. An effort will be made by those in charge to reduce this expense. A suggestion has been made by the State Highway Commission, which I approve, for the state to purchase quarries at convenient points, put the long-term prisoners to crushing rock for road material, and then furnish it to the counties free of cost. The railroads have shown, as I understand, liberality in hauling convicts free of charge and in hauling rock material at greatly reduced rates, and I think are willing to accept crushed rock in payment for at least a part of their freight."

"This arrangement would enable the state to locate quarries in counties where good road material exists and thus save the cost of transportation, while it would enable it to furnish good material to counties having no rock, delivered within their bounds, and thus remedy some of the present inequalities of our road law."

THE DOCTOR'S QUESTION.

Advice Against the Use of Harsh Purgatives and Physics.

A doctor's first question when consulted by a patient is, "are your bowels regular?" He knows that ninety-eight per cent of illness is attended with inactive bowels and torpid liver. This condition poisons the system with noxious gases and waste matter which naturally accumulates and which must be removed through the bowels before health can be restored.

Salts, ordinary pills and cathartics may be truly likened to dynamite. Through their harsh, irritating action they force a passage through the bowels, causing pain and damage to the delicate intestinal structure which weakens the whole system, and at best only produces temporary relief. The repeated use of such treatments cause chronic irritation of the stomach and bowels, hardens their tissues, deadens their nerves, stiffens their muscles and generally brings about an injurious habit which sometimes has fatal results.

We have a positive, pleasant and safe remedy for constipation and bowel disorders in general. We are so certain of its great curative value that we promise to return the purchaser's money in every case when it fails to produce entire satisfaction. This remedy is called Retail Orderlies. We urge you to try them at our entire risk.

Retail Orderlies are very pleasant to take, they act quietly and have a soothing, strengthening, healing influence on the entire intestinal tract. They do not purge, gripe, cause nausea, distention, excessive looseness, diarrhoea or other annoying effects, and they may be taken at any time without any inconvenience.

Retail Orderlies overcome the dragging habit and cure constipation and all similar ailments, whether acute or chronic. They are especially good for children, weak persons or old folks. Price, 36 tablets, 25c and 12 tablets, 10c. W. F. Taylor, 416 King street.

Today's Telegraphic News.

Sharp Acquitted—Mistrial for Cooper. Nashville, Tenn., March 19.—The Cooper-Sharp jury sent word to Judge Hart that they wanted to be brought into court. It is rumored they have agreed.

There was a protracted delay, owing to the absence of the attorneys, and Judge Hart directed that they be sent for. Meanwhile he continued the trial of minor cases and stated so soon as the defendants and their counsel and state attorneys were on hand he would take the verdict. In the meanwhile the jury is being kept in its room.

Nashville, March 19.—After being out since Wednesday morning, the jury that has been trying Col. Duncan E. Cooper, Robin Cooper and John D. Sharp for the murder of former United States Senator Edward W. Carmack, at 12:35 this afternoon returned a verdict of acquittal for John D. Sharp, and reported a mistrial in the case of the Coopers.

The court discharged Sharp and sent the jury back for further consideration of the case against the Coopers.

The jury declared to the court that it was hopelessly divided as to the guilt or innocence of the Coopers. Despite this fact, however, it was sent back to their room and Judge Hart announced that he intended to make them reach a verdict if possible.

Fires in New York. New York, March 19.—Lower Broadway had a great thrill just at the crash hour this morning by a fire which destroyed the old six story building at 181 Broadway. The fire lasted but half an hour, but in this time it burned out the top three floors, occupied by a miscellaneous lot of small shops. The shops on the lower floors were ruined by water and smoke. The loss is estimated at \$60,000. There were but few persons in the building when the fire broke out, and these were able to reach the street without difficulty.

The Fifth Avenue Apartments adjacent to the Hotel Plaza, were destroyed by fire early today. Believing that jewels and money valued at more than \$100,000 are buried in the ruins, the police have stationed a strong guard around the structure while firemen are searching for the valuables. All of the 21 persons injured are reported doing as well as can be expected although five, four firemen and a woman, may die. The monetary loss by the fire will exceed half a million dollars. Firemen are now making a second search for the ruins of the Fifth Avenue Apartments, a seven story apartment house at 24 west Fifty-ninth street, which burned at an early hour today, in an effort to find a trace of the Rev. Penney Simpson, said to be a former president of Marietta College, in Ohio. He is missing.

Water Tanks Break. Parkersburg, W. Va., March 19.—Three hundred thousand dollars damage, one man missing, four persons fatally injured and forty houses wrecked in the result of a break in two water tanks on Prospect Hill about 5:30 a. m. The break was due, it is believed, to dynamite. The contents of both tanks swept down a high hill carrying all before them.

St. John's Lutheran Church was wrecked, the summer school was badly damaged and three residences were swept away from 25 to 200 yards. Houses were jammed against one another, arousing the residents from their beds and surrounding them with water. Mrs. John Mahoney, who was carried a distance of 50 yards in her half demolished home, had both legs broken, and is reported to be dying. Ethel Jones with her father and mother was carried a great distance. She may die while her parents are occupied with the search for her. Many others were injured. The city is facing a water famine, as the city supply was contained in these tanks and both are completely wrecked.

The bodies of Walter Waggle, wife and two children have been recovered from the ruins. More bodies are being searched for.

Emery Claim to be Settled. Managua, Nicaragua, March 19.—President Zelaya, it is said here upon credible authority, is preparing to comply with the demands of the United States for the settlement of the Emery claim. The note of Secretary Knox is understood to have been an ultimatum to the effect that if immediate steps were not taken by the Nicaraguan government to submit the case of arbitration the United States would break off friendly diplomatic relations. Thirty days is the limit for the consideration of the method of submitting the case. Sixty days is the limit for the selection of the three judges.

Washington, D. C. March 19. Senator Espinoza, the Nicaraguan minister, is expected to communicate to Secretary Knox today the reply of his government on the proposal for the settlement of the Emery claim. He has already indicated that the proposition will be acceptable to his government and that he is merely awaiting instructions with reference to some of the minor details.

Will Fight Johnson. Chicago, March 19.—Jack Johnson, heavy weight champion, has at last succeeded in getting some one to fight him for his title. Stanley Ketchell, middle weight champion, has agreed to meet the black. Both parties have deposited \$1,000 as a guarantee of good faith. In regard to the match Johnson said: "Ketchell should be much easier for me than was Burns. He is hardly in the same class with Tommy as I cannot be much else than a big boy with a hard punch for a middle weight. I think the bout will be held in Frisco."

Hunt for Kidnapped Child. Cleveland, O., March 19.—The hunt for the kidnappers of Willie O. Whitla, son of a wealthy Sharon, Pa., lawyer, whose abduction from school yesterday was one of the boldest on record, is progressing in every city and town of northeastern Ohio. Interest early in the day centered at Warren, Ohio. About midnight the police arrested a man answering the description of the man who lured the boy from school. He was held to await possible identification by the Sharon School janitor.

Will Make No Changes. New Haven, March 19.—The president when he arrived here today announced that he did not intend making any changes in the diplomatic corps "for several months." This was made in view of the persistent rumors that certain well known republicans were slated for important ambassadorships.

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Dress Gingham, 8c value, at..... 6c yard

Double face fancy Madras Suitings 12c value, at..... 7c yard

White drapery Swisses, dots only, 10c value, at..... 7c yard

Apron Gingham, 7c value, at..... 5c yard

White Cannon Cloths, double width, 12c value, at..... 8c yard

Princess Silks, are dark grounds, 10c value, at..... 6c yard

Bleached Sheet, full 10-4, 30c value, at..... 25c yard

Last sale 40-Inch Brown Cotton, 5c yard value, at..... 4c yard

Cass Bleached Cotton, 8c value, at..... 6c yard

White linen-finish Saiting, 15c value, at..... 11c yard

Wash Chiffon, 48 inches wide, 19c value, at..... 12c yard

India Linon, 40 inches wide, 18c value, at..... 12c yard

Cotton Bird Eyes, for..... 6c yard

Light Percales, short lengths, 12c value, at..... 7c yard

Light Shirting Prints, 7c value, at..... 5c yard